GOVERNMENT OF INDIA
MINES
LOK SABHA

UNSTARRED QUESTION NO:1165
ANSWERED ON:25.02.2003
MINING OF SAND FROM RIVERS AND SEA BEDS
N.N. KRISHNADAS;S. AJAYA KUMAR;SUNIL KHAN;T. GOVINDAN;VARKALA RADHAKRISHNAN

Will the Minister of MINES be pleased to state:

(a) the details of norms pertaining to sanction of licences for sand mining in the river beds;

(b) whether the Government have received any proposals for sand mining in the coastal sea beds from any State Government; (

(c) if so, the details thereof, State-wise;

(d) the action taken by the Government in this regard;

(e) whether the Government have put any restrictions on mining of sand from river/sea in the country;

(f) if so, the details thereof and the reasons therefor;

(g) whether the Government have received any representations from the State Governments in this regard;

(h) if so, the details thereof, State-wise;

(i) the action taken by the Government in this regard;

(j) whether any cases of violation of norms have been brought to the notice of the Government during the last one year; and

(k) if so, the details thereof and the action taken by the Government thereon ?

Answer

THE MINISTER OF STATE OF THE MINISTRY OF MINES (SHRI RAMESH BAIS)

(a) to (k): Under Section 10(3) of Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act), mineral concessions are granted by the State Government concerned for major minerals (minerals other than minor minerals defined under section 3(e) of MMDR, Act.).As per Rule 70 of Mineral Concession Rules, 1960 (MCR),sand may be treated as major or minor mineral depending on the usage of the same. For minor minerals, mineral concessions are granted by the concerned State Governments under their respective Minor Mineral Concession Rules. For major minerals, mineral concessions are granted by theconcerned State Government under the provisions of MCR subject to the conditions including submission of a mining planby the lease holder. In case of mining leases for major minerals involving an area of more than 5 hectares environmental site clearance is also required from the Ministry of Environment and Forest (MOEF).The Ministry of Environment & Forests brought out the Coastal Regulation Zone (CRZ) Notification in 1991 and declared the coastal stretches of seas, bays, estuaries, creeks, rivers and back waters which are influenced by tidal action (in the landward side) upto 500 meters from the High Tide Lines (HTL) and the land between the Low Tide Line (LTL) and the HTL as Coastal Regulation Zone (CRZ) and imposed certain restrictionson mining in CRZ.The CRZ Notificationprohibits mining of sand, rocks and other substrata material, in CRZ areas except those rare minerals not available outside the CRZ areas. MOEF have received a request from the Andaman & Nicobar Islands for permitting extraction of sand from CRZ areasAfter examining the proposal on its merits and also considering the local situation, permission has been given for extraction of sand from the CRZ areas of Andaman & Nicobar Islands for a limited period by MOEFMOEF hasinformed that whenever, any permission is granted by the Ministry for mining of river-sand in the forest land under the Forest (Conservation) Act, 1980, the following conditions are stipulated so as to minimize the impact on the hydrodynamics/morphology of the river.

(i) Sand mining is allowed only in the central half of the river so that rivers do not change its course.

(ii) Additionally, soil & water conservation measures/river-training works are also required to be carried out. The Ministry of Mines, who administer the mining statutes have not put any restrictions on mining of sand (major mineral) from river beds in the country. However, any mining including sand mining is subject to the norms laid down in the Environmental Site Clearanceand stipulations in the mining plan. Within last one year, no case of violation of norms for sand (major mineral) in this regard has been brought to the notice of Union Ministry of Mines.The permission for river sand mining in areas other than forest land is regulated by the State Governments and they may stipulate conditions in the regard. The Indian Bureau of Mines (IBM) has informed that some States have put restrictions on sand mining in certain areas including river beds/streams etc. Granting of mineral concessions for minerals (including sand) in the coastal sea beds, however, is in the domain of the Central Government under the Offshore Areas Mineral (Development and Regulation) Act, 2002. Under the provisions of this Act, the Central Government is required to notify the areas for

which mineral concessions shall be granted and any application filed before such notification is premature. The State Governments are denuded of any powers to grant concessions for mining of minerals (including sand) in the coastal sea- beds. So far no proposal for mining of sand in the coastal sea bed has been received from anybody including any State Government.